

**RULES REGARDING
TRAINING AND CERTIFICATION OF PROMOTORES(AS) OR
COMMUNITY HEALTH WORKERS**

§146.1 Definitions.

§146.1. Definitions. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) **Administrator**—The Department employee designated as the administrator of regulatory activities authorized by the Health and Safety Code Chapter 46.
- (2) **Applicant**—A Promotor(a) or Community Health Worker (CHW) who applies to the Texas Department of Health for a certificate of competence, a sponsoring institution or training program who applies to the Department to offer training or an instructor who applies to the Department to train Promotores(as) or CHWs.
- (3) **Board**—The Texas Board of Health.
- (4) **Certificate of Competence**—Promotor(a) or Community Health Worker certificates issued by the Texas Department of Health.
- (5) **Committee**—The Promotor(a) and Community Health Worker Training and Certification Advisory Committee established by §146.2 of this Chapter.
- (6) **Department**—The Texas Department of Health.
- (7) **Health**—The extent to which an individual or group is able to realize aspirations and satisfy needs, and to change or cope with the environment. Health is a resource for everyday life, not the objective of living; it is a positive concept emphasizing social and personal resources as well as physical capabilities.
- (8) **Instructor**—An individual approved by the Department to provide instruction and training in public health education to Promotores(as) or CHWs in an educational setting.
- (9) **Instructor certification**—An authorization to train or instruct Promotores(as) or CHWs in public health education services.
- (10) **“Promotor(a)” or “Community Health Worker”**—A person who, with or without compensation: provides cultural mediation between communities and health and human service systems; informal counseling and social support; and culturally and linguistically appropriate health education; advocates for individual and community health needs; assures people get the health services they need; builds individual and community capacity; or provides referral and follow-up services.
- (11) **Sponsoring institution or training program**—An approved educational, community health, training program or other program or facility that offers or intends to offer Promotor(a) or CHW training or instructor preparation.
- (12) **Sponsoring institution or training program certification**—An authorization to offer Promotor(a) or CHW training or instructor preparation.

§146.2. Promotor(a) or Community Health Worker Training and Certification Advisory Committee.

(a) **The committee.** An advisory committee shall be appointed under and governed by this section.

- (1) The name of the committee shall be the Promotor(a) or Community Health Worker Training and Certification Advisory Committee.
- (2) The committee is established under the Health and Safety Code, '11.016, which allows the Board of Health (Board) to establish advisory committees.

(b) **Applicable law.** The committee is subject to Texas Government Code, Chapter 2110, concerning state agency advisory committees.

(c) **Purpose.** The purpose of the committee is to review applications and to recommend to the Department qualifying applicants as sponsoring institutions, training instructors or as Promotores(as) or CHWs. The committee shall also recommend new or amended rules for the approval of the Board.

(d) **Tasks.**

- (1) The committee shall advise the Board concerning rules to implement standards adopted under Chapter 46 relating to the training and regulation of persons working as Promotores(as) or CHWs.
- (2) The committee shall recommend to the Department qualifying sponsoring institutions or training programs, instructors, and Promotores(as) or CHWs.
- (3) The committee shall carry out any other tasks given to the committee by the Board.

(e) **Review and duration.** By November 1, 2003, the Board will initiate and complete a review of the committee to determine whether the committee should be continued, consolidated with another committee or abolished.

(f) **Composition.** The committee shall be composed of nine members appointed by the Board. The composition of committee shall include:

- (1) four certified Promotores(as) or CHWs or the equivalent;
- (2) two public members;
- (3) one member from the Texas Higher Education Coordinating Board or a higher education faculty member who has teaching experience in community health, public health or adult education and has trained Promotores(as) or CHWs;
- (4) two professionals who work with Promotores(as) or CHWs in a community setting; and

- (g) **Terms of office.** The term of office for each member shall be four years, and may be reappointed.
- (1) If a vacancy occurs, a person shall be appointed to serve the unexpired portion of that term.
 - (2) Members shall be appointed for staggered terms so that the terms of three members will expire on January 1 of each even-numbered year.
- (h) **Officers.** The committee shall elect a presiding officer and an assistant presiding officer at its first meeting after August 31st of each year.
- (1) Each officer shall serve until the next regular election of officers.
 - (2) The presiding officer shall preside at all committee meetings at which he or she is in attendance, call meetings in accordance with this section, appoint subcommittees of the committee as necessary, and cause proper reports to be made to the Board. The presiding officer may serve as an ex-officio member of any subcommittee of the committee.
 - (3) The assistant presiding officer shall perform the duties of the presiding officer in case of the absence or disability of the presiding officer. In case the office of presiding officer becomes vacant, the assistant presiding officer will serve until a successor is elected to complete the unexpired portion of the term of the office of presiding officer.
 - (4) A vacancy, which occurs in the offices of presiding officer or assistant presiding officer, may be filled at the next committee meeting.
 - (5) A member shall serve no more than two consecutive terms as presiding officer and/or assistant presiding officer.
 - (6) The committee may reference its officers by other terms, such as chairperson and vice-chairperson.
- (i) **Meetings.** The committee shall meet only as necessary to conduct committee business.
- (1) A meeting may be called by agreement of the Department staff and either the presiding officer or at least three members of the committee.
 - (2) Meeting arrangements shall be made by the Department staff. The Department staff shall contact committee members to determine availability for a meeting date and place.
 - (3) Each meeting of the committee shall be announced and conducted in accordance with the Open Meetings Act, Texas Government Code, Chapter 551.
 - (4) Each member of the committee shall be informed of a committee meeting at least five working days before the meeting.
 - (5) A simple majority of the members of the committee shall constitute a quorum for the purpose of transacting official business.
 - (6) The committee is authorized to transact official business only when in a legally constituted meeting with quorum present.
 - (7) The agenda for each committee meeting shall include an item entitled public comment under which any person will be allowed to address the committee on matters relating to business. The presiding officer may establish procedures for public comment, including a time limit on each comment.

- (j) **Attendance.** Members shall attend committee meetings as scheduled. Members shall attend meetings of subcommittees to which the member is assigned.
 - (1) A member shall notify the presiding officer or appropriate Department staff if he or she is unable to attend a scheduled meeting.
 - (2) It is grounds for removal from the committee if a member cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of illness or disability, is absent from more than half of the committee and subcommittee meetings during a calendar year, or is absent from at least three consecutive committee meetings.
 - (3) The validity of an action of the committee is not affected by the fact that it is taken when a ground for removal of a member exists.
 - (4) The attendance records of the members shall be reported to the Board. The report shall include attendance at committee and subcommittee meetings.
- (k) **Staff.** Staff support for the committee shall be provided by the Department.
- (l) **Procedures.** Roberts Rules of Order, Newly Revised, shall be the basis of parliamentary decisions except where otherwise provided by law or rule.
 - (1) Any action taken by the committee must be approved by a majority vote of the members present once quorum is established.
 - (2) Each member shall have one vote.
 - (3) A member may not authorize another individual to represent the member by proxy.
 - (4) The committee shall make decisions in the discharge of its duties without discrimination based on any person's race, creed, gender, religion, national origin, age, physical condition, or economic status.
 - (5) Minutes of each committee meeting shall be taken by the Department staff.
 - (A) A draft of the minutes approved by the presiding officer shall be provided to the Board and each member of the committee within 30 days of each meeting.
 - (B) After approval by the committee, the minutes shall be signed by the presiding officer.
- (m) **Subcommittees.** The committee may establish subcommittees as necessary to assist the committee in carrying out its duties.
 - (1) The presiding officer shall appoint members of the committee to serve on subcommittees and to act as subcommittee chairpersons. The presiding officer may also appoint nonmembers of the committee to serve on subcommittees.
 - (2) Subcommittees shall meet when called by the subcommittee chairperson or when so directed by the committee.
 - (3) A subcommittee chairperson shall make regular reports to the advisory committee at each committee meeting or in interim written reports as needed. The reports shall include an executive summary or minutes of each subcommittee meeting.

- (n) **Statement by members.** The Board, the Department, and the committee shall not be bound in any way by any statement or action on the part of any committee member except what a statement or action is in pursuit of specific instructions from the Board, Department, or committee.
- (o) **Reports to Board.** The committee shall file an annual written report with the Board.
 - (1) The report shall list the meeting dates of the committee and any subcommittees, the attendance records of its members, a brief description of actions taken by the committee, a description of how the committee has accomplished the tasks given to the committee by the Board, the status of any rules which were recommended by the committee to the Board, anticipated activities of the committee for the next year, and any amendments to this section requested by the committee.
 - (2) The report shall identify the costs related to the committee's existence, including the cost of agency staff time spent in support of the committee's activities.
 - (3) The report shall cover the meetings and activities in the immediate preceding 12 months and shall be filed with the Board each January. It shall be signed by the presiding officer and appropriate Department staff.

§146.3. Applicability.

- (a) The purpose of this section is to describe who is eligible for this voluntary training and certification program under the Health and Safety Code, Chapter 46.
- (b) The provisions of this chapter apply to any Promotor(a) or CHW, and instructor, representing that he or she performs or will perform as a certified Promotor(a) or CHW or, trains or will train Promotores(as) or CHWs respectively. It also applies to any institution or training program that will sponsor or sponsors or provides training programs for Promotores(as) or CHWs, who will expect certification under this chapter.
- (c) Nothing in this chapter requires Promotores(as) or CHWs, instructors, sponsoring institutions or training programs to participate in this voluntary training and certification program.

§146.4. Application Requirements and Procedures for Promotores(as) or CHWs.

- (a) **Purpose.** The purpose of this section is to set out the application procedures for certification of Promotores(as) or CHWs.
- (b) **Promotor(a) or CHW certificate of competence.**
 - (1) Unless otherwise indicated, an applicant must complete all required information and documentation on official Department forms and submit the required information and documentation electronically or in hard copy to the Department.
 - (2) The Department shall send a notice listing the additional materials required to an applicant whose application is incomplete. An application not completed within 30 days after the date of notice shall be invalid unless the applicant has advised the Department of a valid reason for the delay.

(c) Required application materials. The application form shall contain the following items:

- (1) specific personal data, social security number or status (optional), birth date, current and previous Promotor(a) or CHW activity (if applicable), and any educational and training background;
- (2) a statement that the applicant understands the Health and Safety, Chapter 46 and this chapter and agrees to abide by them;
- (3) the applicant's permission to the Department to seek any information or references which are material in determining the applicant's qualifications;
- (4) a statement that the applicant, if issued a certificate, shall return the certificate and identification card(s) to the Department upon the expiration, revocation, or suspension of the certificate;
- (5) a statement that the applicant understands that the materials submitted become the property of the Department and are nonreturnable (unless prior arrangements have been made);
- (6) a statement that the information in the application is truthful and that the applicant understands that providing false or misleading information which is material in determining the applicant's qualifications may result in the voiding of the application and failure to be granted any certificate or the revocation of any certificate issued;
- (7) a statement that the applicant shall advise the Department of his or her current mailing address within 30 days of any changes of address;
- (8) the dated signature of the applicant certifying the truth of the information submitted; and
- (9) the signature of the instructor, sponsoring institution or training program indicating successful completion of the Promotor(a) or CHW training and the date when the training was successfully completed.

(d) Application approval.

- (1) The committee shall be responsible for reviewing all applications and recommending Promotores(as) or CHWs to be certified to the administrator.
- (2) The administrator shall approve any application which is in compliance with this chapter and which properly documents applicant eligibility, unless the application is disapproved under the provisions of subsection (e) of this section.

(e) Disapproved applications.

- (1) The Department may disapprove the application if the applicant:
 - (A) has not met the eligibility and application requirements set out in this section;
 - (B) has not successfully completed an approved competency-based Promotor(a) or CHW training;
 - (C) has failed or refused to properly complete or submit any application form(s) or has knowingly presented false or misleading information on the application form, or any other form or documentation required by the Department to verify the applicant's qualifications for certification;
 - (D) has engaged in unethical conduct; or

- (E) has developed an incapacity, which in accordance with the Americans with Disabilities Act, prevents the practice of Promotor(a) or CHW service with reasonable skill, competence, and safety to the public as the result of:
 - (i) an illness;
 - (ii) drug or alcohol dependency; or
 - (iii) another physical or mental condition or illness;
 - (2) If the administrator determines that the application should not be approved, the administrator shall give the applicant written notice of the reason for the disapproval and of the opportunity for re-application or for appeal;
 - (3) The applicant whose application has been disapproved under paragraph one of this subsection shall be permitted to reapply after a period of not less than six months from the date of the disapproval and shall submit a current application satisfactory to the Department, of compliance with the then current requirements of this chapter and the provisions of the Act.
 - (4) The applicant whose application has been disapproved under paragraph one of the subsection shall be permitted to ask for reconsideration in writing after a period of not less than six months from the date of the disapproval to the Department.
- (f) **Application processing.** A written notice stating that the application has been approved may be sent in lieu of the notice of acceptance of a complete application. The following periods of time shall apply from the date of receipt of an application until the date of issuance of a written notice that the application is complete and accepted for filing or that the application is deficient and additional specific information is required:
- (1) letter of acceptance of application for certification—30 days.
 - (2) letter of application deficiency—30 days.

§146.5. Application Requirements and Procedures for Instructors.

- (a) **Purpose.** The purpose of this section is to set out the application procedure for certification of instructors.
- (b) **Instructor certificate.**
 - (1) Unless otherwise indicated, an applicant must complete all required information and documentation of credentials on official Department forms and submit the required information and documentation electronically or in hard copy to the Department.
 - (2) The Department shall send a notice listing the additional materials required to an applicant whose application is incomplete. An application not completed within 30 days after the date of notice shall be invalid unless the applicant has advised the Department of a valid reason for the delay.

(c) **Required application materials.** The application form shall contain the following items:

- (1) specific personal data, social security number or status (optional), birth date, current and previous places of employment, other state licenses and certificates held, and educational and training background;
- (2) a statement that the applicant understands the Health and Safety Code, Chapter 46 and this chapter and agrees to abide by them;
- (3) the applicant's permission to the Department to seek any information or references which are material in determining the applicant's qualifications;
- (4) a statement that the applicant, if issued a certificate, shall return the certificate and identification card(s) to the Department upon the expiration, revocation, or suspension of the certificate;
- (5) a statement that the applicant understands that the materials submitted become the property of the Department and are nonreturnable (unless prior arrangements have been made);
- (6) a statement that the information in the application is truthful and that the applicant understands that providing false or misleading information which is material in determining the applicant's qualifications may result in the voiding of the application and failure to be granted any certificate or the revocation of any certificate issued;
- (7) a statement that the applicant shall advise the Department of his or her current mailing address within 30 days of any changes of address;
- (8) the dated signature of the applicant certifying the truth of the information submitted; and
- (9) the signature of the executive officer of a sponsoring institution or training program which attests to the competence of the instructor.

(d) **Application approval.**

- (1) The committee shall be responsible for reviewing all applications and recommending those to be certified by the administrator.
- (2) The administrator shall approve any application which is in compliance with this chapter and which properly documents applicant eligibility, unless the application is disapproved under the provisions of subsection (e) of this section.

(e) **Disapproved applications.**

- (1) The Department may disapprove the application if the applicant:
 - (A) has not met the eligibility and application requirements set out in this chapter;
 - (B) does not have the appropriate training or experience to qualify as an instructor;
 - (C) has failed or refused to properly complete or submit any application form(s) or has knowingly presented false or misleading information on the application form, or any other form or documentation required by the Department to verify the applicant's qualifications for certification;
 - (D) has engaged in unprofessional conduct; or
 - (E) has developed an incapacity, and in accordance with the Americans with Disabilities Act, that prevents the instructor from practicing with reasonable skill, competence, and safety to the public as the result of:

- (i) illness;
 - (ii) drug or alcohol dependency; or
 - (iii) another physical or mental condition or illness;
 - (2) If the administrator determines that the application should not be approved, the administrator shall give the applicant written notice of the reason for the disapproval and of the opportunity for re-application;
 - (3) The applicant whose application has been disapproved under paragraph one of this subsection shall be permitted to reapply after a period of not less than six months from the date of the disapproval and shall submit a current application satisfactory to the Department, of compliance with the then current requirements of this chapter and the provisions of the Health and Safety Code, Chapter 46.
- (f) **Application processing.** A written notice stating that the application has been approved may be sent in lieu of the notice of acceptance of a complete application. The following periods of time shall apply from the date of receipt of an application until the date of issuance of a written notice that the application is complete and accepted for filing or that the application is deficient and additional specific information is required:
- (1) letter of acceptance of application for certification—30 days.
 - (2) letter of application deficiency—30 days.

§146.6. Application Requirements and Procedures for Sponsoring Institutions and Training Programs.

- (a) **Purpose.** The purpose of this section is to set out the application procedures for certification of sponsoring institutions and training programs.
- (b) **Sponsoring institution or training program certificate.**
- (1) Unless otherwise indicated, an applicant must complete all required information and documentation of credentials on official Department forms and submit the required information and documentation electronically or in hard copy.
 - (2) The Department shall send a notice listing the additional materials required to an applicant whose application is incomplete. An application not completed within 30 days after the date of notice shall be invalid unless the applicant has advised the Department of a valid reason for the delay.
- (c) **Required application materials.** The application form shall contain the following items:
- (1) specific organizational data, current and previous experience with training or sponsoring training for Promotores(as) or CHWs, educational and training qualifications of staff, accrediting information, curricula and collateral materials, workplace assurances, registration policies and procedures for Promotores(as) or CHWs.
 - (2) a statement that the applicant understands Health and Safety Code, Chapter 46 and this chapter and agrees to abide by them;

- (3) the applicant's permission to the Department to seek any information or references which are material in determining the applicant's qualifications;
- (4) a statement that the applicant, if issued a certificate, shall return the certificate(s) to the Department upon the expiration, revocation, or suspension of the certificate(s);
- (5) a statement that the applicant understands that the materials submitted become the property of the Department and are nonreturnable (unless prior arrangements have been made);
- (6) a statement that the information in the application is truthful and that the applicant understands that providing false or misleading information which is material in determining the applicant's qualifications may result in the voiding of the application and failure to be granted any certificate or the revocation of any certificate issued;
- (7) a statement that the applicant shall advise the Department of the organization's current mailing address within 30 days of any changes of address; and
- (8) the dated signature of the chief executive officer certifying the truth of the information submitted.

(d) Application approval.

- (1) The committee shall be responsible for reviewing all applications and recommending those to be certified to the administrator.
- (2) The administrator shall approve any application which is in compliance with this chapter and which properly documents applicant eligibility, unless the application is disapproved under the provisions of subsection (e) of this section.

(e) Disapproved applications.

- (1) The Department may disapprove the application if the applicant:
 - (A) has not met the eligibility and application requirements set out in this chapter; or
 - (B) has failed or refused to properly complete or submit any application form(s) or has knowingly presented false or misleading information on the application form, or any other form or documentation required by the Department to verify the applicant's qualifications for certification.
- (2) If the administrator determines that the application should not be approved, the administrator shall give the applicant written notice of the reason for the disapproval and of the opportunity for re-application;
- (3) The applicant whose application has been disapproved under paragraph one of this subsection shall be permitted to reapply after a period of not less than six months from the date of the disapproval and shall submit a current application satisfactory to the Department, of compliance with the then current requirements of this chapter and the provisions of the Act.

- (f) Application processing.** A written notice stating that the application has been approved may be sent in lieu of the notice of acceptance of a complete application. The following periods of time shall apply from the date of receipt of an application until the date of issuance of a written notice that the application is complete and accepted for filing or that the application is deficient and additional specific information is required:

- (1) letter of acceptance of application for certification—30 days.
- (2) letter of application deficiency—30 days.

§146.7. Types of Certificates and Applicant Eligibility.

- (a) **Purpose.** The purpose of this section is to set out the types of certificates issued and the qualifications of applicants.
 - (1) The Department shall issue Promotor(a) or CHW certificates of competence, instructor certificates, and sponsoring institutions or training program certificates. A certificate will recognize all those who have performed Promotor(a) or CHW services during the three-year period preceding the effective date of these rules and not less than 1000 cumulative hours during any 12 consecutive months. A certificate will recognize all those who have successfully completed an entry-level training and certification program.
 - (2) Certificates shall be signed by the commissioner of the Department and presiding officer of the advisory committee. The identification card issued to a Promotor(a) or CHW and instructor shall bear the signature of the commissioner and contain a photo of the Promotor(a) or CHW and instructor.
 - (3) Any certificate or identification card(s) issued by the Department remains the property of the Department and shall be surrendered to the Department on demand.
 - (4) A Promotor(a) or CHW and instructor shall carry the original identification card. A sponsoring institution or training program shall display the original certificate at the training or educational site. Photocopies shall not be carried or displayed.
 - (5) A person certified as a Promotor(a) or CHW shall only allow his or her certificate to be copied for the purpose of verification by employers, professional organizations, and third party payors for credentialing and reimbursement purposes. Other persons and/or agencies may contact the administrator in writing or by phone to verify certification.
 - (6) No one shall display, present, or carry a certificate or an identification card which has been altered, photocopied, or otherwise reproduced.
 - (7) No one shall make any alteration on any certificate or identification card issued by the Department.
- (b) **Special provisions for persons who have performed Promotor(a) or CHW services during the three year period, preceding the effective date of these rules.** Upon submission of the application forms by the practicing Promotor(a) or CHW and upon approval by the Department, the Department shall issue a certificate of competence to a person who has performed Promotor(a) or CHW services for not less than 1000 cumulative hours during any 12 consecutive months, as documented on form(s) prescribed by the Department.
- (c) **Special provisions for persons who are nationally certified health education specialists in good standing, other licensed/certified healthcare professionals including social workers in good standing who have acted as instructors of Promotores(as), and for Promotores(as) or CHWs who have acted as supervisors or as trainers, have experience in performing Promotor(a) or CHW services for not less than 1000 cumulative hours during any 12 consecutive months, or have attended a competency-based training program within the three years from the date these rules are final.**

Upon submission of the application forms by an instructor, other licensed/certified healthcare professional or certified health education specialist and upon approval by the Department, the Department shall issue an instructor certificate to a person who is certified by the National Commission for Health Education Credentialing, Inc., or who is a licensed/certified healthcare professional and to a Promotor(a) or CHW who meets the above qualifications.

(d) **Minimum eligibility requirements for Promotor(a) or CHW certification.** The following requirements apply to all individuals applying for certification who do not meet the requirements of subsection (b) of this section:

- (1) attainment of 18 years of age or an eligible and informed minor as determined by the committee;
- (2) freedom from physical or mental impairment, in accordance with the Americans with Disabilities Act, interferes with the performance of duties or otherwise constitutes a hazard to the health or safety of the persons being served;
- (3) submission of a satisfactory completed application on a form supplied by the Department; and
- (4) successful completion of an approved competency-based training program.

(e) **Minimum eligibility requirements for instructor certification.** The following requirements apply to all individuals applying for certification who do not meet the requirements of subsections (c) of this section:

- (1) graduation from high school or its equivalent as determined by the sponsoring institution or the training program or six years of continuous service as a Promotor(a) or CHW;
- (2) attainment of 18 years of age or an eligible and informed minor as determined by the committee;
- (3) attendance at an instructor/trainer program by an approved sponsoring institution or training program;
- (4) freedom from physical or mental impairment, which in accordance with the Americans with Disabilities Act, interferes with the performance of duties or otherwise constitutes a hazard to the health or safety of participants; and
- (5) submission of a satisfactory completed application on a form supplied by the Department.

(f) **Minimum eligibility requirements for sponsoring institution or training program certification.** The following requirements apply to all institutions or programs applying for certification:

- (1) usage of an approved curriculum for Promotor(a) or CHW training, instructor certification and/or for continuing education of Promotores(as) or CHWs and instructors that meets the standards and guidelines established by the Department and as set forth in §146.8 of this title; and
- (2) submission of a satisfactory completed application on a form supplied by the Department.

§146.8. Standards for the Approval of Curricula.

- (a) **Purpose.** The purpose of this section is to establish the minimum standards for approval of curricula and programs to train persons to perform Promotor(a) or CHW services and to quality for the certificate of competence.
- (b) All curricula to be used and programs developed to train individuals to perform Promotor(a) or CHW services or to act as instructors must:
 - (1) assure that the eight core skill and knowledge competencies, identified in the *National Community Health Advisor Study*, June 1998 for Promotores(as) or CHWs, including communication, interpersonal, service coordination, capacity-building, advocacy, teaching and organizational skills and knowledge base are addressed;
 - (2) include at a minimum 20 clock hours of knowledge and skill-building per core competency for Promotores(as) or CHWs and include at a minimum 20 clock hours for instructor training in each of the core competencies that affect Promotores(as) or CHWs;
 - (3) evaluate and document the acquisition of knowledge and mastery of skills by the individual and the success of the training program according to the performance measures framework established within the *National Community Health Advisor Study*, June 1998;
 - (4) be approved by the Department and be offered within the geographic limits of the State of Texas;
 - (5) be submitted to the Department at least ten weeks prior to the starting date of the program to be offered by a sponsoring institution;
 - (6) be submitted to the Department along with supporting materials in a three-ring binder with all pages clearly legible and consecutively numbered with a table of contents and divided with tabs identified to correspond to the core competencies, including evaluation materials and other programmatic information and assurances required within this section;
 - (7) provide a list of approved instructors, facilities and locations for the training program;
 - (8) provide a yearly calendar of scheduled training events by dates, times and locations;
 - (9) identify the method for recruiting persons to the program;
 - (10) report the names of individuals to the Department who have successfully completed the training program within 30 days of program completion;
 - (11) maintain an accurate record of each person's attendance and participation for not less than five years;
 - (12) be live and interactive and directed by an approved instructor or delivered by an approved instructor through interactive technology in real time; and
 - (13) focus on the eight core roles of the Promotor(a) or CHW as noted in the definition of Promotor(a) or CHW.

§146.9. Certificate Issuance and Renewals.

- (a) **Purpose.** The purpose of this section is to set out the rules for issuing certificates and certificate renewal.
- (b) **Issuance of certificates.**
 - (1) Upon approval of the application, the Department shall issue the Promotor(a) or CHW, instructor or sponsoring institution or training program a certificate with an expiration date and a certificate number. An identification card shall be included for the Promotor(a) or CHW and the instructor.
 - (2) The Department shall replace a lost, damaged, or destroyed certificate or identification card upon written request.
- (c) **Certificate renewal.** Each Promotor(a) or CHW, instructor and sponsoring institution or training program shall renew the certificate biennially.
 - (1) Each Promotor(a) or CHW, instructor and sponsoring institution is responsible for renewing the certificate before the expiration date. Failure to receive notification from the Department prior to the expiration date will not excuse failure to file for renewal.
 - (2) Each Promotor(a) or CHW, instructor and sponsoring institution is responsible for completing a renewal form.
 - (3) The Department may not renew the certificate of a Promotor(a) or CHW, instructor or sponsoring institution or training program who is in violation of the Act or this chapter at the time of renewal.
- (d) **Expired certificates.** The Department, by certified mail using the last address known, shall attempt to inform each Promotor(a) or CHW, instructor, or sponsoring institution or training program who has not timely renewed a certificate, after a period of more than ten days after the expiration of the certificate that the certificate has automatically expired. A person or institution or training program whose certificate automatically expires is required to surrender the certificate and identification cards to the Department.
- (e) **Right to inspect.** The Department reserves the right to inspect facilities and documentation and to monitor sponsoring institutions, training programs, and instructors.

§146.10. Continuing Education Requirements.

- (a) **Purpose.** The purpose of this section is to establish the continuing education requirements which a Promotor(a) or CHW and instructor must complete to maintain certification. The requirements are intended to maintain and improve the quality of professional services provided by Promotores(as) or CHWs and instructors and to keep these individuals knowledgeable of current programs, techniques and practices. Approved sponsoring institutions and/or training programs can offer continuing education opportunities for Promotores(as) or CHWs and instructors.

- (b) **General.** Continuing education requirements for recertification shall be fulfilled during each biennial renewal period. A Promotor(a) or CHW must complete 80 contact hours of continuing education acceptable to the Department during each biennial renewal period. An instructor must complete at a minimum 32 contact hours of continuing education acceptable to the Department during each biennial renewal period.
 - (1) At least 50% of the required number of hours shall be satisfied by attendance and participation in instructor-directed activities.
 - (2) No more than 50% of the required number of hours may be satisfied through verifiable independent self-study. These activities include reading materials, audio materials, audiovisual materials, or a combination thereof which meet the requirements set out in this section.
 - (3) A contact hour shall be defined as 50 minutes of attendance and participation. One-half contact hour shall be defined as 30 minutes of attendance and participation during a 30-minute period.
- (c) **Content.** All continuing education activities should provide for the professional growth of the Promotor(a) or CHW and instructor.
 - (1) At least 50% of the required hours must be skill-based activities which are directly related to Promotor(a) or CHW competencies.
 - (2) The remaining 50% can be related to new knowledge base or programmatic activity.
- (d) **Types of acceptable continuing education.** Continuing education shall be acceptable if the experience or activity is at least 30 consecutive minutes in length and is offered by an approved sponsoring institution and/or training program.
- (e) **Reporting of continuing education.** Each Promotor(a) or CHW and instructor is responsible for and shall complete and file with the Department at the time of renewal a continuing education report form approved by the Department listing the title, date and number of hours for each activity for which credit is claimed. The sponsoring institution or training program must provide a list of instructors, Promotores(as) or CHWs who successfully complete continuing education contact hours within 30 days of the continuing education event.
- (f) **Failure to complete the required continuing education.**
 - (1) An instructor, Promotor(a) or CHW may request a one time only 120-day extension in order to complete the continuing education requirement.
 - (2) An instructor, Promotor(a) or CHW who has not corrected the deficiency by the expiration date of the 120-day extension shall be considered as noncompliant with the renewal requirements and may no longer be certified under the expired certificate.
 - (3) An instructor, Promotor(a) or CHW may take the required training again to become an instructor, Promotor(a) or CHW if deadlines for renewal were not met.